

**Decree of the Governor  
Head of Level I Region of East Java  
Number : 59 of the year 1994**

Regarding

**Establishment of Provincial Water Management Committee  
of Provincial Region Level I of East Java**

**THE GOVERNOR HEAD OF LEVEL I REGION OF EAST JAVA**

Taking into account :

- a. that for the implementation of water management which can provide maximum benefit for the community interest in all aspects of life and livelihood, within the framework of protecting, developing and utilizing water and or water resources, it is necessary to establish an integrated approach from the elements of involved institutions.
- b. that with regard to the aforesaid matter, the Regulation of the Minister of Public Works No. 67/PRT/1993 regarding Water Management Committee of the Provincial Region Level I as a forum for consultative discussion to assist the Governor as Head of Region in executing the authority of coordinating water management, has been issued.
- c. that as follow-up of the aforesaid Regulation of the Minister of Public Works no. 67/PRT/1993, it is necessary to stipulate the establishment of Provincial Water Management Committee of the Provincial Region Level I of East Java, with the Decree of the Governor Head of Level I Region of East Java.

Bearing in mind :

1. Law No. 5 of 1974;
2. Law No. 11 of 1974;
3. Government Regulation No. 22 of 1982;
4. Government Regulation No. 23 of 1982;
5. Government Regulation No. 20 of 1990;
6. Government Regulation No. 27 of 1991;
7. Government Regulation No. 35 of 1991;
8. Regulation of the Minister of Public Works No. 39/PRT/1989;
9. Regulation of the Minister of Public Works No. 48/PRT/1990;
10. Regulation of the Minister of Public Works No. 67/PRT/1993;
11. Regional Regulation of the Provincial Region Level I of East Java No. 5 of 1983;
12. Regional Regulation of the Provincial Region Level I of East Java No. 15 of 1987 jo no. 10 of 1991;

13. Regional Regulation of the Provincial Region Level I of East Java No. 8 of 1989.

### **It Is Hereby Instructed**

To stipulate : The Decree of the Governor as Head of Level I Region of East Java regarding the Establishment of Provincial Water Management Committee of the Provincial Region Level I of East Java.

## **Chapter I General Provision**

### **Article I**

In this Decree the terms used have the following meanings :

- a. Government of Level I Region means the Government of Provincial Region Level I of East Java;
- b. Governor means the Governor as Head of Level I Region of East Java;
- c. Level I Region means the Provincial Region Level I of East Java;
- d. Level II Region means the Regency/Municipality  
Level II Region within the Provincial Region Level I of East Java;
- e. Water Management means the conduct of all activities for regulating the development of factors such as ownership, authority, management, utilization, exploitation and conservation of water and water resources including inorganic natural riches contained therein, for achieving maximum benefit in keeping with the people's necessities and livelihood;
- f. Water Management Committee means a forum for consultative discussion within the framework of coordinating water management in the Provincial Region Level I of East Java;
- g. Provincial Irrigation Committee means a forum for consultative discussion at the Provincial Level having the function to assist the Governor as Head of Level I Region of East Java in the provision, distribution and allocation of irrigation water;
- h. River Basin means an area for water resources management as intended in Article 1 item 7 of Law No.11/1974 as a product of the development of one or more river catchments;
- i. Water means any water found in or originating from surface as well as underground water resources;
- j. Water resources means natural water bodies and reservoir whether surface or underground;
- k. Conservation of water resources means the conduct of activities for protecting water resources against damages caused by people and nature;
- l. Development of water resources means the conduct of activities for increasing the benefit of water resources and its environment;
- m. Use of water resources means the conduct of activities for utilizing water resources.

## **Chapter II Establishment**

### **Article 2**

With this Decree, the Water Provincial Management Committee of the Provincial Region Level I of East Java is established.

## **Chapter III Position, Function and Task**

### **Article 3**

The Provincial Water Management Committee as intended in Article 2 of this Decree, shall be a forum for consultative discussion within the framework of coordinating water management within the Provincial Region Level I of East Java which is located under and responsible to the Governor as Head of Region.

### **Article 4**

The Provincial Water Management Committee as intended in Article 3 of this Decree has a function to assist the Governor as Head of Region in executing the authority for coordinating water management in :

- a. Determining the priority plan for use of water and or water resources.
- b. Determining the priority for use of water and or water resources in the framework of conservation, development and use of the aforesaid water resources.
- c. Regulating the use of water and or water resources.
- d. Regulating the discharge of waste water and other wastes.
- e. Regulating the construction of water resources structure as well as other structures at the sources of water.
- f. Regulating other problems which may arise.

### **Article 5**

The Provincial Water Management Committee as intended in Article 2 of this Decree has the task :

- a. To collect, process and supply information obtained from the technical units of river basin management and involved institutions which are required for determining policy of the Government Level I Region regarding coordination of water management covering :

- (1) Data on water quantity provision of surface water and groundwater sources.
  - (2) Data on water quality of surface water and groundwater sources.
  - (3) Data on conservation of water and/or water resources.
  - (4) Data on water requirement in the involved sector based on time, space, quantity and quality which has been or shall be utilized.
  - (5) Data on utilization of water resources which has been or shall be utilized.
- b. To provide recommendation and/or suggest solution to the Governor as Head of Region in connection with :
- (1) Provision and use of water resources including determination of water allocation for use in the dry season and in the rainy season to support the needs of various sectors, based on jointly agreed criteria which refer to valid regulations.
  - (2) To determine a location/a way of discharging waste water including its financing and management.
  - (3) To determine arrangement of flood flow for minimizing damage.
  - (4) Coordination of problems for digging of group C excavated materials in water ways and water bodies.
- c. To supervise implementation of the decisions of coordinative matters which covers:
- (1) Collection and assessment of written report from involved institutions.
  - (2) Providing suggestion for follow-up of the supervision report.
- d. To prepare reports periodically or at any time if required with regard to its tasks, for submission to the Governor as Head of Level I Region and to the Minister of Public Works through the Director General of Water Resources Development.

## **Chapter IV**

### **Structure of Organization**

#### **Article 6**

1. Structure of Organization of the Provincial Water Management Committee as intended in Article 2 of this Decree consists of :
  - (a) Chairman
  - (b) Deputy Chairman
  - (c) Secretary
  - (d) Member
2. Membership composition of the Provincial Water Management Committee mentioned in para 1 of this Article is shown in the Attachment to this Decree.

3. In carrying out its task the Provincial Water Management Committee mentioned in para 1 of this Article is assisted by a Secretariat within the Provincial Water Resources Public Works Service of the Provincial Region Level I of East Java which shall be established by the Chairman of the Provincial Water Management Committee of the Provincial Region Level I of East Java.

#### **Article 7**

The Secretariat of Provincial Water Management Committee as intended in Article 6 para (3) of this Decree has the task to assist the Secretary in supplying data for meeting, preparing report, conducting administrative activities and other tasks given by the Secretary.

#### **Article 8**

1. To assist the Provincial Water Management Committee as intended in Article 2 of this Decree, the Governor as Head of Region may establish a Committee for Implementing Water Management in Satuan Wilayah Sungai (river basin).
2. Membership composition of the Basin Water Management Committee as intended in para (1) of this Article shall be further determined.
3. The Committee for Implementing Water Management in the Satuan Wilayah Sungai has the task to assist the Provincial Water Management Committee of the Provincial Region Level I of East Java in executing coordination of water management in the river basin concerned which covers :
  - (a) To obtain data as mentioned in Article 5 item a of this Decree from the authorized institution.
  - (b) To monitor the implementation of coordinative decision determined by the Governor, Head of Region.
  - (c) To prepare report regarding its task to the Provincial Water Management Committee.

### **Chapter V Working Arrangement**

#### **Article 9**

1. The Provincial Water Management Committee, should periodically or at any time as required conduct a meeting/session either plenary, limited or combined at least 3 times a year i.e. at preparation of annual program, prior to rainy season and dry season, and make field observations.
2. Working arrangement of the Provincial Water Management Committee mentioned in para (1) of this Article shall be further determined by the Governor, Head of Region.

## **Article 10**

In implementing its task, the Provincial Water Management Committee, should invite the water users and or other interested parties to attend the meeting/committee session to collect additional data or information which is required.

## **Chapter VI Financing**

### **Article 11**

The sources of finance for implementing the task of the Provincial Water Management Committee can be derived from :

- a. Financial support from the Central Government.
- b. Funds obtained from retribution and or fees charged for use of water and water resources which shall be further determined by the Governor, Head of Region.

## **Chapter VII Miscellaneous**

### **Article 12**

1. Implementation of coordination of Water Management in the Bengawan Solo River Basin situated in two Provinces of Level I Region, is conducted through combined meeting of the Provincial Water Management Committees of the Provincial Region Level I of East Java and the Provincial Region Level I of Central Java chaired by the Chairman of the Provincial Water Management Committee of Level I Region who is selected on consultative basis by the participants of the combined meeting.
2. The decision made by the combined meeting mentioned in para (1) of this Article is binding for the Water Management Committee of Provincial Region Level I of East Java and the Water Management Committee of Provincial Region Level I of Central Java.
3. In case that coordination problem as intended in para 1 of this Article cannot be solved in the Combined Meeting, it should be forwarded to the Director General of Water Resources for solution.

### **Article 13**

1. Working relationship between the Provincial Irrigation Committee and Provincial Water Management Committee is coordinative in nature with the proviso that the provision of water for irrigation is based on established policies as intended in Article 4 of this Decree.

2. Working relationship between the District/Municipal Irrigation Committee and the Committee for Implementing Water Management in the River Basin concerned is coordinative in nature with the proviso that the issues of water distribution and allocation for irrigation should refer to the decisions determined through the coordination between the Provincial Irrigation Committee and the Provincial Water Management Committee.

## **Chapter VIII Closing Provision**

### **Article 14**

1. The Decree is valid from the date of issue.
2. This Decree is announced in the Regional Gazette of the Provincial Region Level I of East Java.

**Decreed in    :    Surabaya**  
**Date           :    May 14, 1994**

**Governor as Head of Level I Region  
of East Java**

**signed**

**M. Basofi Soedirman**

## Attachment

### Decree of The Governor as Head of Level I Region of East Java

Date : 14 May 1994  
Number : 59 of 1994

#### The Membership Composition of Provincial Water Management Committee

No.	Position in The Membership	Position in The Agency
1.	a. Chairman and Member	Deputy Governor Head of Level I Region of East Java (for Economic and Development)
	b. Deputy Chairman I and Member	Head Regional Development Planning Board (BAPPEDA), Provincial Region Level I of East Java
	c. Deputy Chairman II and Member	Head, Public Works Regional Office, East Java Province
2.	a. Secretary and Member	Head, Provincial Water Resources of Public Works Service, Provincial Region Level I of East Java
	b. Vice Secretary I	Head, Bureau for Physical and Infrastructure of BAPPEDA, Provincial Region Level I of East Java
	c. Vice Secretary II	Chief, River Swamp Sub Service Provincial Water Resources of Public Works Service, Provincial Region Level I of East Java
3.	Members	a. Assistant II to the Secretary of the Territory/Level I Region of East Java
		b. Assistant to the Governor in East Java
		c. Head, Regional Office of Industry, East Java Province
		d. Head, Regional Office of Agriculture, East Java Province
		e. Head, Regional Office of Forestry, East Java Province
		f. Head, Food Crops Agriculture Service, Provincial Region Level I of East Java
		g. Head, Fishery Service, Provincial Region Level I of East Java
		h. Head, Industry Service Provincial Region Level I of East Java



- i. Head, Cipta Karya Public Works Service, Provincial Region Level I of East Java
- k. Head, Mining Service, Provincial Region Level I of East Java
- l. President Director of Jasa Tirta Public Corporation
- m. Management of State Electricity Corporation for East Java Region
- n. Head, Legal Bureau, Secretariat of the Territory/Level I Region of East Java
- o. Head, Bureau for Population and Environment, Secretariat of the Territory/Level I Region of East Java
- p. Coordinator for Areas of Water Resources Public Works Service in East Java
- q. Head, Regional Capital Investment Coordination Board, Provincial Region Level I of East Java
- r. Head of HKTI, East Java
- s. Head of KADINDA, Provincial Region Level I of East Java
- t. Water Resources Expert, Institute of Technology of 10 November Surabaya
- u. Water Resources Expert, University of Brawijaya Malang

**Governor as Head of Level I Region  
of East Java**

signed

**M. Basofi Soedirman**

c.c.

- 1. Minister of Home Affairs, Jakarta
- 2. Minister of Public Works, Jakarta
- 3. Director General of PARA, Ministry of Home Affairs, Jakarta
- 4. Director General of WRD, MPW, Jakarta
- 5. Chairman, Regional Assembly of the Peoples Representatives of the Provincial Region Level I of East Java
- 6. Assistant to the Governor in East Java
- 7. Regent/Mayor Head of Level II Region within the Provincial Region Level I of East Java
- 8. Head, Public Works Regional Office, East Java Province, Surabaya
- 9. Head, Water Resources of Public Works Service, Provincial Region Level I of East Java, Surabaya
- 10. Members of the Water Management Committee